

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:05CR145
)	
v.)	
)	
CAESAR HINOJOSA,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on defendant's motion to suppress evidence (Filing No. 46), the report and recommendation of the magistrate judge (Filing No. 63), and defendant's objections thereto (Filing No. 66). The Court has reviewed the transcript of the hearing held before the magistrate judge, the briefs of the parties filed with the magistrate judge, the magistrate judge's report and recommendation, and the brief of defendant in support of his objections. The Court finds the report and recommendation should be approved and adopted for the reasons stated by the magistrate judge in his opinion. Accordingly,

IT IS ORDERED:

1) The report and recommendation of the magistrate judge is approved and adopted.

2) Defendant's motion to suppress is denied.

3) Trial of this matter is scheduled for:

Monday, December 12, 2005, at 9 a.m.,

Courtroom No. 5, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska. The ends of justice will be

served by continuing this case and outweigh the interests of the public and the defendant in a speedy trial. The additional time between September 19, 2005, and December 12, 2005, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 19th day of September, 2005.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court